

1 Richard Chae  
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2 San Francisco, CA 94115  
Telephone: (415) 845-1881

3 In Propria Persona  
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**FILED**

**MAR 26 2013**

STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO

8 THE STATE BAR COURT  
9 HEARING DEPARTMENT - SAN FRANCISCO

10 In the Matter of:

11 RICHARD CHAE,  
12 No. 224610,

13 A Member of the State Bar  
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) Case No. 13-N-10561  
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**RESPONSE TO NOTICE OF  
DISCIPLINARY CHARGES**

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1 Respondent Richard Chae ("Respondent") hereby submits the following Response to the State  
2 Bar's Notice of Disciplinary Charge dated March 5, 2013.

3 **RESPONSE TO NOTICE OF DISCIPLINARY CHARGE**

4 Respondent specifically denies culpability and states as follows:

5 1. On or about May 17, 2010, Respondent entered into an agreement with a law firm  
6 ("The Firm") to work as a contract attorney for a period of six months. This agreement was  
7 subsequently renewed during November 2010 for an indefinite term.

8 2. In or about May 2011, Respondent retained Mr. Doron Weinberg, an attorney licensed  
9 in to practice law in the State of California, to represent him in the Superior Court of California,  
10 County of San Mateo, Case No. SC071149. Per the terms of the retainer agreement, Mr. Weinberg  
11 was to represent Respondent in any proceedings before the State Bar Court in connection with that  
12 case.

13 3. In or about May 2011, Mr. Weinberg filed a notice of pending charges against  
14 Respondent with the State Bar Court, indicating that Mr. Weinberg represented Respondent in matters  
15 before the State Bar Court in connection with Case No. SC071149.

16 4. On or about July 15, 2012, The Firm informed Respondent that the employment  
17 agreement was terminated. Subsequent to this date, Respondent did not perform any work for The  
18 Firm or any of the Firm's clients and did not have any contact with any clients of The Firm.  
19 Respondent also did not have any clients of his own.

20 5. Respondent did not receive any instructions from Mr. Weinberg to file anything further  
21 with the State Bar Court subsequent to either the November 2011 conviction or the June 2012  
22 conviction.

23 6. In or about August 2012, Respondent retained Mr. Paul DeMeester to represent him in  
24 the Superior Court of California, County of San Mateo, Case No. SC071149. Mr. DeMeester did not  
25 replace Mr. Weinberg as Respondent's attorney for matters before the State Bar Court, and Respondent  
26 did not terminate that attorney-client relationship.

1           7.     On December 27, 2012, Respondent was remanded into custody in the San Mateo  
2 County Jail. On January 11, 2013, Respondent was transferred to the Minimum Security Transitional  
3 Facility. Since December 27, 2012, Respondent has been continuously incarcerated.

4           8.     Respondent maintains a residence in an apartment building with approximately 150  
5 units. Various security guards are employed by the property management company that owns the  
6 building. On occasion, the security guards sign for packages and other mail delivered to residents of  
7 the building when such deliveries require a signature. The normal protocol involves the security guards  
8 logging any signed-for deliveries in a log book and notifying the intended recipient by leaving a notice  
9 in the recipient's mailbox. For correspondence sent by Certified Mail through the United States Postal  
10 Service, the security guards generally receive the correspondence and sign for it, log the transaction in  
11 a log book, and fill out a package notice slip for the recipient.


12          9.     Respondent did not receive a package notice slip for any correspondence such as  
13 Certified Mail from a Case Administrator of the State Bar Court containing a copy of the 9.20 Order  
14 and sent on or about September 21, 2012. Respondent lacks sufficient knowledge to confirm or deny  
15 receipt of such copy. Respondent is unaware of any other attempts by which Respondent was "properly  
16 served" a copy of the 9.20 Order, as is alleged in the Notice of Disciplinary Charges.

17          10.    Respondent did not receive a package notice slip for any correspondence such as  
18 Certified Mail from the Office of Probation of the State Bar of California containing a letter dated on  
19 or about October 5, 2012. Respondent lacks sufficient knowledge to confirm or deny receipt of this  
20 letter. Respondent is unaware whether "Respondent received this letter," as is alleged in the Notice of  
21 Disciplinary Charges.

22          11.    On or about February 11, 2013, Respondent filed a 9.20 Compliance Declaration in  
23 order to comply with the Rules and Regulations. Although not timely, Respondent acted in good faith.

24          12.    Respondent maintained a good faith belief that the 9.20 notice requirements were not  
25 triggered until the November 2011 and June 2012 convictions were considered Final Convictions.

26  
27 Dated: March 22, 2013

By:   
Richard Chae

1 **PROOF OF SERVICE**

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3 I, the undersigned, say that:

4 I am over eighteen years of age and not a party to this proceeding. My address is P.O. Box

5 17598, Irvine, California 92623.

6 On March 25, 2013, I served **RESPONSE TO NOTICE OF DISCIPLINARY CHARGES** by

7 enclosing the afore-mentioned document(s) in a sealed envelope addressed to the person at the address

8 set forth below, and depositing it at the United States Postal Service office located at 17192 Murphy

9 Avenue, Irvine, California 92623, for collection and mailing:

10 Heather E. Abelson, Deputy Trial Counsel  
11 State Bar of California  
12 180 Howard Street  
13 San Francisco, California 94105-1639  
(415) 538-2357

14 I declare under penalty of perjury under the laws of the State of California that the foregoing is

15 true and correct.

16

17 Dated: March 25, 2013

Signed by: 

Helen MacLeod